

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**KATHY ADKINS, *et al.*,**

**Plaintiff,**

**v.**

**Civil Action No. 3:11cv334**

**ENCORE CAPITAL GROUP, INC., *et al.***

**Defendants.**

**ANSWER TO PLAINTIFFS' AMENDED COMPLAINT**

Defendants, Encore Capital Group, Inc. ("Encore"), Midland Funding, LLC ("Midland Funding"), and Midland Credit Management, Inc. ("Midland Credit"), (collectively "Defendants"), by counsel, submit the following Answer and Affirmative Defenses in response to Plaintiffs' Amended Complaint ("Complaint").

1. Paragraph 1 of the Complaint contains a general description of the action and it requires no response.

**JURISDICTION**

2. The allegations contained in paragraph 2 of the Complaint are legal conclusions, to which no response is required. To the extent the allegations are contrary to the law, they are denied.

**PARTIES**

3. The allegations contained in paragraph 3 of the Complaint are legal conclusions to which no response is required. To the extent the allegations are contrary to law, they are denied.

4. Defendants admit that Encore is a Delaware corporation located in San Diego, California. The remaining allegations of paragraph 4 are denied.

5. Defendants admit the allegations of paragraph 5 of the Complaint.

6. In response to the allegations contained in paragraph 6 of the Complaint, Defendants admit that Midland Credit is a corporation located in San Diego, California. The legal conclusions in paragraph 6 require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 6 are denied.

**STATEMENT OF FACTS**

7. In response to the allegations contained in paragraph 7 of the Complaint, Defendants admit that Midland Funding purchases debts and that Midland Credit services certain debts. The legal conclusions in paragraph 7 require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 7 are denied.

8. The allegations contained in paragraph 8 of the Complaint refer to an electronic document, which speaks for itself, and to which no response is required.

9. Defendants deny the allegations contained in paragraph 9 of the Complaint.

10. Defendants admit that the CEO of Encore is also the President of Midland Credit. Defendants deny the remaining allegations in paragraph 10.

11. Defendants deny the allegation contained in paragraph 11 of the Complaint.

12. The allegations contained in paragraph 12 of the Complaint refer to documents, which speak for themselves, and to which no response is required. Defendants deny any remaining allegations contained in paragraph 12.

13. Defendants admit that Midland Funding purchases portfolios of consumer debts and that Midland Funding has no employees. Defendants deny the remaining allegations contained in paragraph 13 of the Complaint.

14. The allegations contained in paragraph 14 of the Complaint refer to documents, which speak for themselves, and to which no response is required.

15. Defendants admit that Rita Melconian is both Assistant Secretary at Encore and Corporate Counsel in the Legal Affairs and Litigation Department at Midland Credit. Defendants deny the remaining allegations contained in paragraph 15 of the Complaint.

16. The allegations contained in paragraph 16 of the Complaint are legal conclusions, to which no response is required. To the extent the allegations are contrary to the law, they are denied. The remaining allegations of paragraph 16 are denied.

17. The legal conclusions in paragraph 17 of the Complaint require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 17 are denied.

18. Defendants admit Midland Funding purchases debts, and that Midland Funding has served as a plaintiff in state court collection actions. The legal conclusions in paragraph 18 require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 18 are denied.

19. The legal conclusions in paragraph 19 of the Complaint require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 19 are denied.

20. Defendants admit that Midland Funding purchases debts, including credit card debt. The remaining allegations in paragraph 20 of the Complaint are denied.

21. Defendants deny the allegations contained in paragraph 21 of the Complaint.

22. Defendants deny the allegations contained in paragraph 22 of the Complaint.

23. Defendants deny the allegations contained in paragraph 23 of the Complaint.

24. Defendants deny the allegations contained in paragraph 24 of the Complaint.

25. Midland Credit admits that it has employed the law firms of Dominion Law Associates and Glasser & Glasser, P.L.C. in connection with the litigation of collection actions in

Virginia. Defendants deny the remaining allegations contained in paragraph 25 of the Complaint.

26. Defendants deny the allegations contained in paragraph 26 of the Complaint.

27. The allegations contained in paragraph 27 of the Complaint refer to documents, which speak for themselves, and to which no response is required.

28. The allegations contained in paragraph 28 of the Complaint refer to an electronic document, which speaks for itself, and to which no response is required. The remaining allegations of paragraph 28 are denied.

29. The allegations contained in paragraph 29 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The remaining allegations of paragraph 29 are denied.

30. Midland Credit admits that it provides affidavits to outside counsel for use in collection actions. Defendants deny the remaining allegations in paragraph 30 of the Complaint.

31. The allegations contained in paragraph 31 of the Complaint refer to documents, which speak for themselves, and to which no response is required. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 31 respecting the activities of third party law firms and, therefore, deny the same. The remaining allegations of paragraph 31 are denied.

32. The allegations contained in paragraph 32 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The remaining allegations of paragraph 32 are denied.

33. The allegations contained in paragraph 33 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The remaining allegations of paragraph 33 are denied.

34. The allegations contained in paragraph 34 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The remaining allegations of paragraph 34 are denied.

35. The allegations contained in paragraph 35 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The remaining allegations of paragraph 35 are denied.

36. The allegations contained in paragraph 36 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The remaining allegations of paragraph 36 are denied.

37. Defendants deny the allegations contained in paragraph 37 of the Complaint.

38. Defendants deny the allegations contained in paragraph 38 of the Complaint.

39. The allegations contained in paragraph 39 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The legal conclusions in paragraph 39 require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 39 are denied.

40. The allegations contained in paragraph 40 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The legal conclusions in paragraph 40 require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 40 are denied.

41. The allegations contained in paragraph 41 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The remaining allegations of paragraph 41 are denied.

42. The allegations contained in paragraph 42 of the Complaint refer to documents, which speak for themselves, and to which no response is required. The legal conclusions in

paragraph 42 require no response. To the extent they are contrary to law, they are denied. The remaining allegations of paragraph 42 are denied.

43. The legal conclusions in paragraph 43 require no response. To the extent they are contrary to law, they are denied. Defendants deny the remaining allegations of paragraph 43.

44. The legal conclusions in paragraph 44 require no response. To the extent they are contrary to law, they are denied. Defendants deny the remaining of paragraph 44.

45. Defendants deny the allegations contained in paragraph 45 of the Complaint.

46. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 46 of the Complaint and, therefore, deny the same.

47. Defendants deny the allegations contained in paragraph 47 of the Complaint.

48. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 48 of the Complaint and, therefore, deny the same.

49. Defendants deny the allegations contained in paragraph 49 of the Complaint.

50. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 50 of the Complaint and, therefore, deny the same.

51. Defendants deny the allegations contained in paragraph 51 of the Complaint.

52. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 52 of the Complaint and, therefore, deny the same.

53. Defendants deny the allegations contained in paragraph 53 of the Complaint.

54. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 54 of the Complaint and, therefore, deny the same.

55. Defendants deny the allegations contained in paragraph 55 of the Complaint.

56. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 56 of the Complaint and, therefore, deny the same.

57. Defendants deny the allegations contained in paragraph 57 of the Complaint.

58. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 58 of the Complaint and, therefore, deny the same.

59. Defendants deny the allegations contained in paragraph 59 of the Complaint.

60. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 60 of the Complaint and, therefore, deny the same.

61. Defendants deny the allegations contained in paragraph 61 of the Complaint.

62. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 62 of the Complaint and, therefore, deny the same.

63. Defendants deny the allegations contained in paragraph 63 of the Complaint.

64. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 64 of the Complaint and, therefore, deny the same.

65. Defendants deny the allegations contained in paragraph 65 of the Complaint.

66. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 66 of the Complaint and, therefore, deny the same.

67. Defendants deny the allegations contained in paragraph 67 of the Complaint.

68. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 68 of the Complaint and, therefore, deny the same.

69. Defendants deny the allegations contained in paragraph 69 of the Complaint.

70. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 70 of the Complaint and, therefore, deny the same.

71. Defendants deny the allegations contained in paragraph 71 of the Complaint.

72. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 72 of the Complaint and, therefore, deny the same.

73. Defendants deny the allegations contained in paragraph 73 of the Complaint.

74. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 74 of the Complaint and, therefore, deny the same.

75. Defendants deny the allegations contained in paragraph 75 of the Complaint.

76. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 76 of the Complaint and, therefore, deny the same.

77. Defendants deny the allegations contained in paragraph 77 of the Complaint.

78. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 78 of the Complaint and, therefore, deny the same.

79. Defendants deny the allegations contained in paragraph 79 of the Complaint.

80. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 80 of the Complaint and, therefore, deny the same.

81. Defendants deny the allegations contained in paragraph 81 of the Complaint.

82. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 82 of the Complaint and, therefore, deny the same.

83. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 83 of the Complaint and, therefore, deny the same.

84. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 84 of the Complaint and, therefore, deny the same.

85. Defendants deny the allegations contained in paragraph 85 of the Complaint.

86. The allegations contained in paragraph 86 of the Complaint refer to a document, which speaks for itself, and to which no response is required. Defendants are without information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 86 of the Complaint and, therefore, deny the same.



87. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 87 of the Complaint and, therefore, deny the same.

88. Defendants deny the allegations contained in paragraph 88 of the Complaint.

89. Defendants deny the allegations contained in paragraph 89 of the Complaint.

90. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 90 of the Complaint and, therefore, deny the same.

91. Defendants deny the allegations contained in paragraph 91 of the Complaint.

92. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 92 of the Complaint and, therefore, deny the same.

93. Defendants deny the allegations contained in paragraph 93 of the Complaint.

94. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 94 of the Complaint and, therefore, deny the same.

95. Defendants deny the allegations contained in paragraph 95 of the Complaint.

96. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 96 of the Complaint and, therefore, deny the same.

97. Defendants deny the allegations contained in paragraph 97 of the Complaint.

98. Defendants are without information sufficient to form a belief as to the truth of the allegations contained in paragraph 98 of the Complaint and, therefore, deny the same.

**COUNT ONE:**  
**(15 U.S.C. § 1692e)**

99. In response to the allegations contained in paragraph 99 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

100. The allegations contained in paragraph 100 of the Complaint are legal conclusions, to which no response is required. To the extent the allegations are contrary to the law, they are denied.

101. Defendants deny the allegations contained in paragraph 101 of the Complaint.

102. Defendants deny the allegations contained in paragraph 102 of the Complaint.

103. Defendants deny the allegations contained in paragraph 103 of the Complaint.

**COUNT TWO:**  
**(15 U.S.C. § 1692e(2))**

104. In response to the allegations contained in paragraph 104 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

105. Defendants deny the allegations contained in paragraph 105 of the Complaint.

106. Defendants deny the allegations contained in paragraph 106 of the Complaint.

107. Defendants deny the allegations contained in paragraph 107 of the Complaint.

108. Defendants deny the allegations contained in paragraph 108 of the Complaint.

**COUNT THREE:**  
**(15 U.S.C. § 1692e(10))**

109. In response to the allegations contained in paragraph 109 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

110. Defendants deny the allegations contained in paragraph 110 of the Complaint.

111. Defendants deny the allegations contained in paragraph 111 of the Complaint.

112. Defendants deny the allegations contained in paragraph 112 of the Complaint.

**COUNT FOUR:**  
**(15 U.S.C. § 1692e(10))**

113. In response to the allegations contained in paragraph 113 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

114. Defendants deny the allegations contained in paragraph 114 of the Complaint.

115. Defendants deny the allegations contained in paragraph 115 of the Complaint.

116. Defendants deny the allegations contained in paragraph 116 of the Complaint.

**COUNT FIVE:**  
**(15 U.S.C. § 1692e(11))**

117. In response to the allegations contained in paragraph 117 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

118. The allegations contained in paragraph 118 of the Complaint refer to a document, which speaks for itself, and to which no response is required.

119. Defendants deny the allegations contained in paragraph 119 of the Complaint.

120. Defendants deny the allegations contained in paragraph 120 of the Complaint.

121. Defendants deny the allegations contained in paragraph 121 of the Complaint.

122. Defendants deny the allegations contained in paragraph 122 of the Complaint.

**COUNT SIX:**  
**(15 U.S.C. § 1692e(11))**

123. In response to the allegations contained in paragraph 123 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

124. The allegations contained in paragraph 124 of the Complaint refer to documents, which speak for themselves, and to which no response is required.

125. Defendants deny the allegations contained in paragraph 125 of the Complaint.

126. Defendants deny the allegations contained in paragraph 126 of the Complaint.

127. Defendants deny the allegations contained in paragraph 127 of the Complaint.

128. Defendants deny the allegations contained in paragraph 128 of the Complaint.

**COUNT SEVEN:  
(15 U.S.C. § 1692e(11))**

129. In response to the allegations contained in paragraph 129 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

130. The allegations contained in paragraph 130 of the Complaint refer to a document, which speaks for itself, and to which no response is required.

131. Defendants deny the allegations contained in paragraph 131 of the Complaint.

132. Defendants deny the allegations contained in paragraph 132 of the Complaint.

133. Defendants deny the allegations contained in paragraph 133 of the Complaint.

134. Defendants deny the allegations contained in paragraph 134 of the Complaint.

**COUNT EIGHT:  
(15 U.S.C. § 1692g)**

135. In response to the allegations contained in paragraph 135 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

136. Defendants deny the allegations contained in paragraph 136 of the Complaint.

137. Defendants deny the allegations contained in paragraph 137 of the Complaint.

138. Defendants deny the allegations contained in paragraph 138 of the Complaint.

**COUNT NINE:**  
**(15 U.S.C. § 1692b2)**

139. In response to the allegations contained in paragraph 139 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

140. Defendants deny the allegations contained in paragraph 140 of the Complaint.

141. Defendants deny the allegations contained in paragraph 141 of the Complaint.

142. Defendants deny the allegations contained in paragraph 142 of the Complaint.

**COUNT TEN:**  
**(15 U.S.C. § 1692c(b))**

143. In response to the allegations contained in paragraph 143 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

144. Defendants deny the allegations contained in paragraph 144 of the Complaint.

145. Defendants deny the allegations contained in paragraph 145 of the Complaint.

146. Defendants deny the allegations contained in paragraph 146 of the Complaint.

**COUNT ELEVEN:**  
**(15 U.S.C. § 1692f)**

147. In response to the allegations contained in paragraph 147 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

148. Defendants deny the allegations contained in paragraph 148 of the Complaint.

149. Defendants deny the allegations contained in paragraph 149 of the Complaint.

150. Defendants deny the allegations contained in paragraph 150 of the Complaint.

**COUNT TWELVE:**  
**(15 U.S.C. § 1692b(2))**

151. In response to the allegations contained in paragraph 151 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

152. Defendants deny the allegations contained in paragraph 152 of the Complaint.

153. Defendants deny the allegations contained in paragraph 153 of the Complaint.

154. Defendants deny the allegations contained in paragraph 154 of the Complaint.

**COUNT THIRTEEN:**  
**(15 U.S.C. § 1692c(b))**

155. In response to the allegations contained in paragraph 155 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

156. Defendants deny the allegations contained in paragraph 156 of the Complaint.

157. Defendants deny the allegations contained in paragraph 157 of the Complaint.

158. Defendants deny the allegations contained in paragraph 158 of the Complaint.

**COUNT FOURTEEN:**  
**(15 U.S.C. § 1692f)**

159. In response to the allegations contained in paragraph 159 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

160. Defendants deny the allegations contained in paragraph 160 of the Complaint.

161. Defendants deny the allegations contained in paragraph 161 of the Complaint.

162. Defendants deny the allegations contained in paragraph 162 of the Complaint.

**COUNT FIFTEEN:**  
**(15 U.S.C. § 1692b(2))**

163. In response to the allegations contained in paragraph 163 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

164. Defendants deny the allegations contained in paragraph 164 of the Complaint.

165. Defendants deny the allegations contained in paragraph 165 of the Complaint.

166. Defendants deny the allegations contained in paragraph 166 of the Complaint.

**COUNT SIXTEEN:**  
**(15 U.S.C. § 1692c(a)(3))**

167. In response to the allegations contained in paragraph 167 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

168. Defendants deny the allegations contained in paragraph 168 of the Complaint.

169. Defendants deny the allegations contained in paragraph 169 of the Complaint.

170. Defendants deny the allegations contained in paragraph 170 of the Complaint.

**COUNT SEVENTEEN:**  
**(15 U.S.C. § 1692c(b))**

171. In response to the allegations contained in paragraph 171 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

172. Defendants deny the allegations contained in paragraph 172 of the Complaint.

173. Defendants deny the allegations contained in paragraph 173 of the Complaint.

174. Defendants deny the allegations contained in paragraph 174 of the Complaint.

**COUNT EIGHTEEN:**  
**(15 U.S.C. § 1692d)**

175. In response to the allegations contained in paragraph 175 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

176. Defendants deny the allegations contained in paragraph 176 of the Complaint.

177. Defendants deny the allegations contained in paragraph 177 of the Complaint.

178. Defendants deny the allegations contained in paragraph 178 of the Complaint.

**COUNT NINETEEN:**  
**(15 U.S.C. § 1692e(2))**

179. In response to the allegations contained in paragraph 179 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

180. Defendants deny the allegations contained in paragraph 180 of the Complaint.

181. Defendants deny the allegations contained in paragraph 181 of the Complaint.

182. Defendants deny the allegations contained in paragraph 182 of the Complaint.

**COUNT TWENTY:**  
**(15 U.S.C. § 1692f)**

183. In response to the allegations contained in paragraph 183 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

184. Defendants deny the allegations contained in paragraph 184 of the Complaint.

185. Defendants deny the allegations contained in paragraph 185 of the Complaint.

186. Defendants deny the allegations contained in paragraph 186 of the Complaint.



**COUNT TWENTY-ONE:**  
**(15 U.S.C. § 1692c(a)(3))**

187. In response to the allegations contained in paragraph 187 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

188. Defendants deny the allegations contained in paragraph 188 of the Complaint.

189. Defendants deny the allegations contained in paragraph 189 of the Complaint.

190. Defendants deny the allegations contained in paragraph 190 of the Complaint.

**COUNT TWENTY-TWO:**  
**(15 U.S.C. § 1692d)**

191. In response to the allegations contained in paragraph 191 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

192. Defendants deny the allegations contained in paragraph 192 of the Complaint.

193. Defendants deny the allegations contained in paragraph 193 of the Complaint.

194. Defendants deny the allegations contained in paragraph 194 of the Complaint.

**COUNT TWENTY-THREE:**  
**(15 U.S.C. § 1692f)**

195. In response to the allegations contained in paragraph 195 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

196. Defendants deny the allegations contained in paragraph 196 of the Complaint.

197. Defendants deny the allegations contained in paragraph 197 of the Complaint.

198. Defendants deny the allegations contained in paragraph 198 of the Complaint.

**COUNT TWENTY-FOUR:**  
**(15 U.S.C. § 1692e(2))**

199. In response to the allegations contained in paragraph 199 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

200. Defendants deny the allegations contained in paragraph 200 of the Complaint.

201. Defendants deny the allegations contained in paragraph 201 of the Complaint.

202. Defendants deny the allegations contained in paragraph 202 of the Complaint.

**COUNT TWENTY-FIVE:**  
**(15 U.S.C. § 1692e(2))**

203. In response to the allegations contained in paragraph 203 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

204. Defendants deny the allegations contained in paragraph 204 of the Complaint.

205. Defendants deny the allegations contained in paragraph 205 of the Complaint.

206. Defendants deny the allegations contained in paragraph 206 of the Complaint.

**COUNT TWENTY-SIX:**  
**(15 U.S.C. § 1692e(4))**

207. In response to the allegations contained in paragraph 207 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

208. Defendants deny the allegations contained in paragraph 208 of the Complaint.

209. Defendants deny the allegations contained in paragraph 209 of the Complaint.

210. Defendants deny the allegations contained in paragraph 210 of the Complaint.

**COUNT TWENTY-SEVEN:**  
**(15 U.S.C. § 1692f)**

211. In response to the allegations contained in paragraph 211 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

212. Defendants deny the allegations contained in paragraph 212 of the Complaint.

213. Defendants deny the allegations contained in paragraph 213 of the Complaint.

214. Defendants deny the allegations contained in paragraph 214 of the Complaint.

**COUNT TWENTY-EIGHT:**  
**(15 U.S.C. § 1692b(2))**

215. In response to the allegations contained in paragraph 215 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

216. Defendants deny the allegations contained in paragraph 216 of the Complaint.

217. Defendants deny the allegations contained in paragraph 217 of the Complaint.

218. Defendants deny the allegations contained in paragraph 218 of the Complaint.

**COUNT TWENTY-NINE:**  
**(15 U.S.C. § 1692c(b))**

219. In response to the allegations contained in paragraph 219 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

220. Defendants deny the allegations contained in paragraph 220 of the Complaint.

221. Defendants deny the allegations contained in paragraph 221 of the Complaint.

222. Defendants deny the allegations contained in paragraph 222 of the Complaint.

**COUNT THIRTY:**  
**(15 U.S.C. § 1692e(2))**

223. In response to the allegations contained in paragraph 223 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

224. Defendants deny the allegations contained in paragraph 224 of the Complaint.

225. Defendants deny the allegations contained in paragraph 225 of the Complaint.

226. Defendants deny the allegations contained in paragraph 226 of the Complaint.

**COUNT THIRTY-ONE:**  
**(15 U.S.C. § 1692f)**

227. In response to the allegations contained in paragraph 227 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

228. Defendants deny the allegations contained in paragraph 228 of the Complaint.

229. Defendants deny the allegations contained in paragraph 229 of the Complaint.

230. Defendants deny the allegations contained in paragraph 230 of the Complaint.

**COUNT THIRTY-TWO:**  
**(15 U.S.C. § 1692b(2))**

231. In response to the allegations contained in paragraph 231 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

232. Defendants deny the allegations contained in paragraph 232 of the Complaint.

233. Defendants deny the allegations contained in paragraph 233 of the Complaint.

234. Defendants deny the allegations contained in paragraph 234 of the Complaint.

**COUNT THIRTY-THREE:**  
**(15 U.S.C. § 1692c(b))**

235. In response to the allegations contained in paragraph 235 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

236. Defendants deny the allegations contained in paragraph 236 of the Complaint.

237. Defendants deny the allegations contained in paragraph 237 of the Complaint.

238. Defendants deny the allegations contained in paragraph 238 of the Complaint.

**COUNT THIRTY-FOUR:**  
**(15 U.S.C. § 1692f)**

239. In response to the allegations contained in paragraph 239 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

240. Defendants deny the allegations contained in paragraph 240 of the Complaint.

241. Defendants deny the allegations contained in paragraph 241 of the Complaint.

242. Defendants deny the allegations contained in paragraph 242 of the Complaint.

**COUNT THIRTY-FIVE:**  
**(15 U.S.C. § 1692c(a)(3))**

243. In response to the allegations contained in paragraph 243 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

244. Defendants deny the allegations contained in paragraph 244 of the Complaint.

245. Defendants deny the allegations contained in paragraph 245 of the Complaint.

246. Defendants deny the allegations contained in paragraph 246 of the Complaint.

**COUNT THIRTY-SIX:  
(15 U.S.C. § 1692d)**

247. In response to the allegations contained in paragraph 247 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

248. Defendants deny the allegations contained in paragraph 248 of the Complaint.

249. Defendants deny the allegations contained in paragraph 249 of the Complaint.

250. Defendants deny the allegations contained in paragraph 250 of the Complaint.

**COUNT THIRTY-SEVEN:  
(15 U.S.C. § 1692e(2))**

251. In response to the allegations contained in paragraph 251 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

252. Defendants deny the allegations contained in paragraph 252 of the Complaint.

253. Defendants deny the allegations contained in paragraph 253 of the Complaint.

254. Defendants deny the allegations contained in paragraph 254 of the Complaint.

**COUNT THIRTY-EIGHT:  
(15 U.S.C. § 1692f)**

255. In response to the allegations contained in paragraph 255 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

256. Defendants deny the allegations contained in paragraph 256 of the Complaint.

257. Defendants deny the allegations contained in paragraph 257 of the Complaint.

258. Defendants deny the allegations contained in paragraph 258 of the Complaint.

**COUNT THIRTY-NINE:**  
**(15 U.S.C. § 1692b(2))**

259. In response to the allegations contained in paragraph 259 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

260. Defendants deny the allegations contained in paragraph 260 of the Complaint.

261. Defendants deny the allegations contained in paragraph 261 of the Complaint.

262. Defendants deny the allegations contained in paragraph 262 of the Complaint.

**COUNT FORTY:**  
**(15 U.S.C. § 1692c(b))**

263. In response to the allegations contained in paragraph 263 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

264. Defendants deny the allegations contained in paragraph 264 of the Complaint.

265. Defendants deny the allegations contained in paragraph 265 of the Complaint.

266. Defendants deny the allegations contained in paragraph 266 of the Complaint.

**COUNT FORTY-ONE:**  
**(15 U.S.C. § 1692f)**

267. In response to the allegations contained in paragraph 267 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

268. Defendants deny the allegations contained in paragraph 268 of the Complaint.

269. Defendants deny the allegations contained in paragraph 269 of the Complaint.

270. Defendants deny the allegations contained in paragraph 270 of the Complaint.

**COUNT FORTY-TWO:  
(15 U.S.C. § 1692b(2))**

271. In response to the allegations contained in paragraph 271 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

272. Defendants deny the allegations contained in paragraph 272 of the Complaint.

273. Defendants deny the allegations contained in paragraph 273 of the Complaint.

274. Defendants deny the allegations contained in paragraph 274 of the Complaint.

**COUNT FORTY-THREE:  
(15 U.S.C. § 1692c(b))**

275. In response to the allegations contained in paragraph 275 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

276. Defendants deny the allegations contained in paragraph 276 of the Complaint.

277. Defendants deny the allegations contained in paragraph 277 of the Complaint.

278. Defendants deny the allegations contained in paragraph 278 of the Complaint.

**COUNT FORTY-FOUR:  
(15 U.S.C. § 1692f)**

279. In response to the allegations contained in paragraph 279 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

280. Defendants deny the allegations contained in paragraph 280 of the Complaint.

281. Defendants deny the allegations contained in paragraph 281 of the Complaint.

282. Defendants deny the allegations contained in paragraph 282 of the Complaint.



**COUNT FORTY-FIVE:**  
**(15 U.S.C. § 1692b(2))**

283. In response to the allegations contained in paragraph 283 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

284. Defendants deny the allegations contained in paragraph 284 of the Complaint.

285. Defendants deny the allegations contained in paragraph 285 of the Complaint.

286. Defendants deny the allegations contained in paragraph 286 of the Complaint.

**COUNT FORTY-SIX:**  
**(15 U.S.C. § 1692c(b))**

287. In response to the allegations contained in paragraph 287 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

288. Defendants deny the allegations contained in paragraph 288 of the Complaint.

289. Defendants deny the allegations contained in paragraph 289 of the Complaint.

290. Defendants deny the allegations contained in paragraph 290 of the Complaint.

**COUNT FORTY-SEVEN:**  
**(15 U.S.C. § 1692f)**

291. In response to the allegations contained in paragraph 291 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

292. Defendants deny the allegations contained in paragraph 292 of the Complaint.

293. Defendants deny the allegations contained in paragraph 293 of the Complaint.

294. Defendants deny the allegations contained in paragraph 294 of the Complaint.

**COUNT FORTY-EIGHT:**  
**(15 U.S.C. § 1692b(2))**

295. In response to the allegations contained in paragraph 295 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

296. Defendants deny the allegations contained in paragraph 296 of the Complaint.

297. Defendants deny the allegations contained in paragraph 297 of the Complaint.

298. Defendants deny the allegations contained in paragraph 298 of the Complaint.

**COUNT FORTY-NINE:**  
**(15 U.S.C. § 1692c(b))**

299. In response to the allegations contained in paragraph 299 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

300. Defendants deny the allegations contained in paragraph 300 of the Complaint.

301. Defendants deny the allegations contained in paragraph 301 of the Complaint.

302. Defendants deny the allegations contained in paragraph 302 of the Complaint.

**COUNT FIFTY:**  
**(15 U.S.C. § 1692e(2))**

303. In response to the allegations contained in paragraph 303 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

304. Defendants deny the allegations contained in paragraph 304 of the Complaint.

305. Defendants deny the allegations contained in paragraph 305 of the Complaint.

306. Defendants deny the allegations contained in paragraph 306 of the Complaint.

**COUNT FIFTY-ONE:**  
**(15 U.S.C. § 1692e(7))**

307. In response to the allegations contained in paragraph 307 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

308. Defendants deny the allegations contained in paragraph 308 of the Complaint.

309. Defendants deny the allegations contained in paragraph 309 of the Complaint.

310. Defendants deny the allegations contained in paragraph 310 of the Complaint.

**COUNT FIFTY-TWO:**  
**(15 U.S.C. § 1692f)**

311. In response to the allegations contained in paragraph 311 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

312. Defendants deny the allegations contained in paragraph 312 of the Complaint.

313. Defendants deny the allegations contained in paragraph 313 of the Complaint.

314. Defendants deny the allegations contained in paragraph 314 of the Complaint.

**COUNT FIFTY-THREE:**  
**(15 U.S.C. § 1692b(2))**

315. In response to the allegations contained in paragraph 315 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

316. Defendants deny the allegations contained in paragraph 316 of the Complaint.

317. Defendants deny the allegations contained in paragraph 317 of the Complaint.

318. Defendants deny the allegations contained in paragraph 318 of the Complaint.

**COUNT FIFTY-FOUR:**  
**(15 U.S.C. § 1692c(a)(3))**

319. In response to the allegations contained in paragraph 319 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

320. Defendants deny the allegations contained in paragraph 320 of the Complaint.

321. Defendants deny the allegations contained in paragraph 321 of the Complaint.

322. Defendants deny the allegations contained in paragraph 322 of the Complaint.

**COUNT FIFTY-FIVE:**  
**(15 U.S.C. § 1692c(b))**

323. In response to the allegations contained in paragraph 323 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

324. Defendants deny the allegations contained in paragraph 324 of the Complaint.

325. Defendants deny the allegations contained in paragraph 325 of the Complaint.

326. Defendants deny the allegations contained in paragraph 326 of the Complaint.

**COUNT FIFTY-SIX:**  
**(15 U.S.C. § 1692d)**

327. In response to the allegations contained in paragraph 327 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

328. Defendants deny the allegations contained in paragraph 328 of the Complaint.

329. Defendants deny the allegations contained in paragraph 329 of the Complaint.

330. Defendants deny the allegations contained in paragraph 330 of the Complaint.

**COUNT FIFTY-SEVEN:**  
**(15 U.S.C. § 1692f)**

331. In response to the allegations contained in paragraph 331 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

332. Defendants deny the allegations contained in paragraph 332 of the Complaint.

333. Defendants deny the allegations contained in paragraph 333 of the Complaint.

334. Defendants deny the allegations contained in paragraph 334 of the Complaint.

**COUNT FIFTY-EIGHT:**  
**(15 U.S.C. § 1692d)**

335. In response to the allegations contained in paragraph 335 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

336. Defendants deny the allegations contained in paragraph 336 of the Complaint.

337. Defendants deny the allegations contained in paragraph 337 of the Complaint.

338. Defendants deny the allegations contained in paragraph 338 of the Complaint.

**COUNT FIFTY-NINE:**  
**(15 U.S.C. § 1692f)**

339. In response to the allegations contained in paragraph 339 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

340. Defendants deny the allegations contained in paragraph 340 of the Complaint.

341. Defendants deny the allegations contained in paragraph 341 of the Complaint.

342. Defendants deny the allegations contained in paragraph 342 of the Complaint.

**COUNT SIXTY:**  
**(15 U.S.C. § 1692b(2))**

343. In response to the allegations contained in paragraph 343 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

344. Defendants deny the allegations contained in paragraph 344 of the Complaint.

345. Defendants deny the allegations contained in paragraph 345 of the Complaint.

346. Defendants deny the allegations contained in paragraph 346 of the Complaint.

**COUNT SIXTY-ONE:**  
**(15 U.S.C. § 1692c(b))**

347. In response to the allegations contained in paragraph 347 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

348. Defendants deny the allegations contained in paragraph 348 of the Complaint.

349. Defendants deny the allegations contained in paragraph 349 of the Complaint.

350. Defendants deny the allegations contained in paragraph 350 of the Complaint.

**COUNT SIXTY-TWO:**  
**(15 U.S.C. § 1692f)**

351. In response to the allegations contained in paragraph 351 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

352. Defendants deny the allegations contained in paragraph 352 of the Complaint.

353. Defendants deny the allegations contained in paragraph 353 of the Complaint.

354. Defendants deny the allegations contained in paragraph 354 of the Complaint.

**COUNT SIXTY-THREE:**  
**(15 U.S.C. § 1692b(2))**

355. In response to the allegations contained in paragraph 355 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

356. Defendants deny the allegations contained in paragraph 356 of the Complaint.

357. Defendants deny the allegations contained in paragraph 357 of the Complaint.

358. Defendants deny the allegations contained in paragraph 358 of the Complaint.

**COUNT SIXTY-FOUR:**  
**(15 U.S.C. § 1692c(b))**

359. In response to the allegations contained in paragraph 359 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

360. Defendants deny the allegations contained in paragraph 360 of the Complaint.

361. Defendants deny the allegations contained in paragraph 361 of the Complaint.

362. Defendants deny the allegations contained in paragraph 362 of the Complaint.

**COUNT SIXTY-FIVE:**  
**(15 U.S.C. § 1692f)**

363. In response to the allegations contained in paragraph 363 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

364. Defendants deny the allegations contained in paragraph 364 of the Complaint.

365. Defendants deny the allegations contained in paragraph 365 of the Complaint.

366. Defendants deny the allegations contained in paragraph 366 of the Complaint.

**COUNT SIXTY-SIX:**  
**(15 U.S.C. § 1692c(a)(3))**

367. In response to the allegations contained in paragraph 367 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

368. Defendants deny the allegations contained in paragraph 368 of the Complaint.

369. Defendants deny the allegations contained in paragraph 369 of the Complaint.

370. Defendants deny the allegations contained in paragraph 370 of the Complaint.

**COUNT SIXTY-SEVEN:**  
**(15 U.S.C. § 1692d)**

371. In response to the allegations contained in paragraph 371 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

372. Defendants deny the allegations contained in paragraph 372 of the Complaint.

373. Defendants deny the allegations contained in paragraph 373 of the Complaint.

374. Defendants deny the allegations contained in paragraph 374 of the Complaint.

**COUNT SIXTY-EIGHT:**  
**(15 U.S.C. § 1692f)**

375. In response to the allegations contained in paragraph 375 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

376. Defendants deny the allegations contained in paragraph 376 of the Complaint.

377. Defendants deny the allegations contained in paragraph 377 of the Complaint.

378. Defendants deny the allegations contained in paragraph 378 of the Complaint.



**COUNT SIXTY-NINE:**  
**(15 U.S.C. § 1692e(2))**

379. In response to the allegations contained in paragraph 379 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

380. Defendants deny the allegations contained in paragraph 380 of the Complaint.

381. Defendants deny the allegations contained in paragraph 381 of the Complaint.

382. Defendants deny the allegations contained in paragraph 382 of the Complaint.

**COUNT SEVENTY:**  
**(15 U.S.C. § 1692b(2))**

383. In response to the allegations contained in paragraph 383 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

384. Defendants deny the allegations contained in paragraph 384 of the Complaint.

385. Defendants deny the allegations contained in paragraph 385 of the Complaint.

386. Defendants deny the allegations contained in paragraph 386 of the Complaint.

**COUNT SEVENTY-ONE:**  
**(15 U.S.C. § 1692b(3))**

387. In response to the allegations contained in paragraph 387 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

388. Defendants deny the allegations contained in paragraph 388 of the Complaint.

389. Defendants deny the allegations contained in paragraph 389 of the Complaint.

390. Defendants deny the allegations contained in paragraph 390 of the Complaint.

**COUNT SEVENTY-TWO:**  
**(15 U.S.C. § 1692c(a)(2))**

391. In response to the allegations contained in paragraph 391 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

392. Defendants deny the allegations contained in paragraph 392 of the Complaint.

393. Defendants deny the allegations contained in paragraph 393 of the Complaint.

394. Defendants deny the allegations contained in paragraph 394 of the Complaint.

**COUNT SEVENTY-THREE:**  
**(15 U.S.C. § 1692c(b))**

395. In response to the allegations contained in paragraph 395 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

396. Defendants deny the allegations contained in paragraph 396 of the Complaint.

397. Defendants deny the allegations contained in paragraph 397 of the Complaint.

398. Defendants deny the allegations contained in paragraph 398 of the Complaint.

**COUNT SEVENTY-FOUR:**  
**(15 U.S.C. § 1692d)**

399. In response to the allegations contained in paragraph 399 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

400. Defendants deny the allegations contained in paragraph 400 of the Complaint.

401. Defendants deny the allegations contained in paragraph 401 of the Complaint.

402. Defendants deny the allegations contained in paragraph 402 of the Complaint.

**COUNT SEVENTY-FIVE:**  
**(15 U.S.C. § 1692f)**

403. In response to the allegations contained in paragraph 403 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

404. Defendants deny the allegations contained in paragraph 404 of the Complaint.

405. Defendants deny the allegations contained in paragraph 405 of the Complaint.

406. Defendants deny the allegations contained in paragraph 406 of the Complaint.

**COUNT SEVENTY-SIX:**  
**(15 U.S.C. § 1692(b)(2))**

407. In response to the allegations contained in paragraph 407 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

408. Defendants deny the allegations contained in paragraph 408 of the Complaint.

409. Defendants deny the allegations contained in paragraph 409 of the Complaint.

410. Defendants deny the allegations contained in paragraph 410 of the Complaint.

**COUNT SEVENTY-SEVEN:**  
**(15 U.S.C. § 1692c(b))**

411. In response to the allegations contained in paragraph 411 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

412. Defendants deny the allegations contained in paragraph 412 of the Complaint.

413. Defendants deny the allegations contained in paragraph 413 of the Complaint.

414. Defendants deny the allegations contained in paragraph 414 of the Complaint.

**COUNT SEVENTY-EIGHT:**  
**(15 U.S.C. § 1692d)**

415. In response to the allegations contained in paragraph 415 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

416. Defendants deny the allegations contained in paragraph 416 of the Complaint.

417. Defendants deny the allegations contained in paragraph 417 of the Complaint.

418. Defendants deny the allegations contained in paragraph 418 of the Complaint.

**COUNT SEVENTY-NINE:**  
**(15 U.S.C. § 1692f)**

419. In response to the allegations contained in paragraph 419 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

420. Defendants deny the allegations contained in paragraph 420 of the Complaint.

421. Defendants deny the allegations contained in paragraph 421 of the Complaint.

422. Defendants deny the allegations contained in paragraph 422 of the Complaint.

**COUNT EIGHTY:**  
**(15 U.S.C. § 1692b(2))**

423. In response to the allegations contained in paragraph 423 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

424. Defendants deny the allegations contained in paragraph 424 of the Complaint.

425. Defendants deny the allegations contained in paragraph 425 of the Complaint.

426. Defendants deny the allegations contained in paragraph 426 of the Complaint.

**COUNT EIGHTY-ONE:**  
**(15 U.S.C. § 1692c(b))**

427. In response to the allegations contained in paragraph 427 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

428. Defendants deny the allegations contained in paragraph 428 of the Complaint.

429. Defendants deny the allegations contained in paragraph 429 of the Complaint.

430. Defendants deny the allegations contained in paragraph 430 of the Complaint.

**COUNT EIGHTY-TWO:**  
**(15 U.S.C. § 1692f)**

431. In response to the allegations contained in paragraph 431 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

432. Defendants deny the allegations contained in paragraph 432 of the Complaint.

433. Defendants deny the allegations contained in paragraph 433 of the Complaint.

434. Defendants deny the allegations contained in paragraph 434 of the Complaint.

**COUNT EIGHTY-THREE:**  
**(15 U.S.C. § 1692c(a)(3))**

435. In response to the allegations contained in paragraph 435 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

436. Defendants deny the allegations contained in paragraph 436 of the Complaint.

437. Defendants deny the allegations contained in paragraph 437 of the Complaint.

438. Defendants deny the allegations contained in paragraph 438 of the Complaint.

**COUNT EIGHTY-FOUR:**  
**(15 U.S.C. § 1692d)**

439. In response to the allegations contained in paragraph 439 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

440. Defendants deny the allegations contained in paragraph 440 of the Complaint.

441. Defendants deny the allegations contained in paragraph 441 of the Complaint.

442. Defendants deny the allegations contained in paragraph 442 of the Complaint.

**COUNT EIGHTY-FIVE:**  
**(15 U.S.C. § 1692f)**

443. In response to the allegations contained in paragraph 443 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

444. Defendants deny the allegations contained in paragraph 444 of the Complaint.

445. Defendants deny the allegations contained in paragraph 445 of the Complaint.

446. Defendants deny the allegations contained in paragraph 446 of the Complaint.

**COUNT EIGHTY-SIX:**  
**(15 U.S.C. § 1692b(2))**

447. In response to the allegations contained in paragraph 447 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

448. Defendants deny the allegations contained in paragraph 448 of the Complaint.

449. Defendants deny the allegations contained in paragraph 449 of the Complaint.

450. Defendants deny the allegations contained in paragraph 450 of the Complaint.

**COUNT EIGHTY-SEVEN:**  
**(15 U.S.C. § 1692c(b))**

451. In response to the allegations contained in paragraph 451 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

452. Defendants deny the allegations contained in paragraph 452 of the Complaint.

453. Defendants deny the allegations contained in paragraph 453 of the Complaint.

454. Defendants deny the allegations contained in paragraph 454 of the Complaint.

**COUNT EIGHTY-EIGHT:**  
**(15 U.S.C. § 1692f)**

455. In response to the allegations contained in paragraph 455 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

456. Defendants deny the allegations contained in paragraph 456 of the Complaint.

457. Defendants deny the allegations contained in paragraph 457 of the Complaint.

458. Defendants deny the allegations contained in paragraph 458 of the Complaint.

**COUNT EIGHTY-NINE:**  
**(15 U.S.C. § 1692b(2))**

459. In response to the allegations contained in paragraph 459 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

460. Defendants deny the allegations contained in paragraph 460 of the Complaint.

461. Defendants deny the allegations contained in paragraph 461 of the Complaint.

462. Defendants deny the allegations contained in paragraph 462 of the Complaint.

**COUNT NINETY:**  
**(15 U.S.C. § 1692c(b))**

463. In response to the allegations contained in paragraph 463 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

464. Defendants deny the allegations contained in paragraph 464 of the Complaint.

465. Defendants deny the allegations contained in paragraph 465 of the Complaint.

466. Defendants deny the allegations contained in paragraph 466 of the Complaint.

**COUNT NINETY-ONE:**  
**(15 U.S.C. § 1692f)**

467. In response to the allegations contained in paragraph 467 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

468. Defendants deny the allegations contained in paragraph 468 of the Complaint.

469. Defendants deny the allegations contained in paragraph 469 of the Complaint.

470. Defendants deny the allegations contained in paragraph 470 of the Complaint.

**COUNT NINETY-TWO:**  
**(47 U.S.C. § 227(b)(1)(B))**

471. In response to the allegations contained in paragraph 471 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

472. Defendants deny the allegations contained in paragraph 472 of the Complaint.

473. Defendants deny the allegations contained in paragraph 473 of the Complaint.

474. Defendants deny the allegations contained in paragraph 474 of the Complaint.



**COUNT NINETY-THREE:**  
**(47 U.S.C. § 227(b)(1)(B))**

475. In response to the allegations contained in paragraph 475 of the Complaint, Defendants incorporate and re-assert the responses contained in the foregoing paragraphs as if fully stated herein.

476. Defendants deny the allegations contained in paragraph 476 of the Complaint.

477. Defendants deny the allegations contained in paragraph 477 of the Complaint.

478. Defendants deny the allegations contained in paragraph 478 of the Complaint.

479. In response to the unnumbered “WHEREFORE” paragraph directly following paragraph 478, Defendants state that Plaintiffs are entitled to no relief whatsoever from the Defendants and that Plaintiffs have not been damaged in anyway by Defendants.

480. Defendants deny any allegation that is not expressly admitted herein.

**AFFIRMATIVE AND OTHER DEFENSES**

1. Any alleged damages suffered by Plaintiffs are the result of their own conduct and/or the actions of other individuals or entities over which Defendants have no control.

2. Defendants reserve the right to compel arbitration as agreed to in the contract between cardholder and creditors.

3. Plaintiffs’ claims should be dismissed because Defendants did not violate any provisions of the Fair Debt Collections Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”).

4. Plaintiffs’ Complaint, or portions thereof, should be dismissed to the extent that the claims made therein are time-barred by the applicable statute(s) of limitations.

5. Plaintiffs’ claims should be dismissed to the extent that any alleged violations of the FDCPA by Defendants was the result of a bona fide error, was unintentional, and resulted notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

6. Plaintiffs' claims under the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227, *et seq.*, should be dismissed to the extent that Defendants had the prior express consent of the Plaintiffs to place the telephone calls at issue.

7. Plaintiffs' claims under the TCPA fail to the extent that the telephone system used by Defendants is not an automatic telephone dialing system.

8. Plaintiffs' claims should be dismissed to the extent that Defendants acted in good faith in conformity with any advisory opinion of the Federal Trade Commission.

9. The Court should order separate trials pursuant to Fed. R. Civ. P. 20(b) and 21 to the extent that Plaintiffs have improperly joined themselves and their individual claims in violation of Rule 20(a) and/or severance of the individual claims and trials would protect Defendants against embarrassment, delay, expense, or other prejudice or be more convenient to the parties or expedite and economize the proceedings.

10. Defendants reserve the right to amend or supplement the foregoing responses and/or assert additional affirmative defenses at a later date following discovery and investigation.

WHEREFORE, Defendants Encore Capital Group, Inc., Midland Funding, LLC, and Midland Credit Management, Inc. respectfully request the Court to dismiss Plaintiffs' Complaint and all claims therein with prejudice and to render judgment in favor of Defendants on each and every claim and request for relief in Plaintiffs' Complaint, denying all relief sought by Plaintiffs, and that Defendants be awarded their costs expended in defending this action, and for such other and further relief as the Court deems appropriate.

**ENCORE CAPITAL GROUP, INC.,  
MIDLAND FUNDING, LLC and  
MIDLAND CREDIT MANAGEMENT, INC.**

By: /s/ Timothy J. St. George  
Of Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 28th day of September 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will then send a notification of such filing (NEF) to the following:

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